

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

11 GPNE CORP., ) Case No.: 12-CV-02885-LHK  
12 v. Plaintiff, )  
13 APPLE, INC., ) ORDER RE: HIGH-PRIORITY  
14 ) OBJECTIONS ON OPENING SLIDES  
15 Defendant. )

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**I. GPNE'S OBJECTIONS TO APPLE'S OPENING SLIDES**

17 GPNE has filed objections to Apple's Opening Slides. ECF No. 397. Apple has filed a  
18 response. ECF No. 398. After reviewing the parties' briefing, considering the record in the case,  
19 and balancing the considerations set forth in Federal Rule of Evidence 403, the Court rules on  
20 GPNE's objections as follows:

GPNE OBJECTION	COURT'S RULING ON OBJECTION
Slide 107	Overruled.
Slide 157	Overruled.
Slide 158	Overruled.
DTX 189	Overruled.
DTX 383	Overruled.
DTX 384	Overruled.
Slides 150-51	Overruled.
DTX 55	Overruled.
Slide 111	Overruled.
Slide 145	Overruled.
Slide 152	Sustained.
Slide 105	Sustained.

1	DTX 314 p.1	Overruled.
2	DTX 360	Overruled.
2	DTX 361	Overruled.
2	DTX 404	Sustained.

3 **II. APPLE'S OBJECTIONS TO GPNE'S OPENING SLIDES**

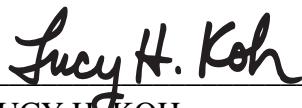
4 Apple has filed objections to GPNE's Opening Slides. ECF Nos. 398, 402. GPNE has  
 5 filed a response. ECF No. 397. After reviewing the parties' briefing, considering the record in the  
 6 case, and balancing the considerations set forth in Federal Rule of Evidence 403, the Court rules on  
 7 Apple's objections as follows:

8 <b>APPLE OBJECTION</b>	<b>COURT'S RULING ON OBJECTION</b>
9 Slides 10, 17	Sustained.
10 Slides 31, 32	Sustained.
11 Slide 13	Sustained as to "9.99" and otherwise overruled.
12 Slide 29	Overruled.
13 Slides 35, 41	Overruled.
14 Slide 37	Overruled.
15 Slide 44	Sustained as to "prototype built." Sustained as to "Dr. Tan Report." GPNE shall substitute "Dr. Tan Report" with "Dr. Tan's or UCI's relationship with GPNE."
Slide 48	Overruled.
Slide 57	Overruled.

16 GPNE acknowledges that it served its opening slides out of order. GPNE's opening slides  
 17 are also not numbered. This made ruling on the objections to GPNE's slides more difficult. The  
 18 Court requests that GPNE serve future demonstratives in order with page numbers.

19 **IT IS SO ORDERED.**

20 Dated: October 5, 2014

  
 21 LUCY H. KOH  
 22 United States District Judge